

TZVI WEISS, et al.,

Plaintiffs,

-against-

NATIONAL WESTMINSTER BANK PLC.

Defendant.

05-CV-4622 (CPS) (KAM)

## STIPULATION AND ORDER

Plaintiffs, by and through their counsel, and Defendant, by and through its counsel, hereby stipulate as follows:

WHEREAS, in Faudem v. Crédit Lyonnais, S.A., No. 07- CV-1774 (CPS) (KAM), on October 26, 2007, Crédit Lyonnais, S.A. (“Crédit Lyonnais”) served plaintiffs with a motion for a protective order requesting that the Court: (a) compel plaintiffs to seek discovery from Crédit Lyonnais exclusively by employing the procedures of the Hague Convention on the Taking of Evidence Abroad in Civil or Commercial Matters, Mar. 18, 1970, 23 U.S.T. 2555, TIAS No. 7444 (the “Hague Convention”); and (b) excuse Crédit Lyonnais from producing documents for which Crédit Lyonnais claims it will be exposed to criminal, disciplinary and civil sanctions under French bank secrecy laws from discovery based on French law objections (the “Faudem Protective Order Motion”); and

WHEREAS, in Wolf v. Crédit Lyonnais, S.A., No. CV-07-914 (CPS) (KAM),  
Crédit Lyonnais is scheduled to serve plaintiffs on November 29, 2007, with a motion for a  
protective order on the same basis as the Faudem Protective Order Motion, with opposition and

reply papers to be filed no later than December 31, 2007 and January 15, 2008, respectively (the “Wolf Protective Order Motion”); and

WHEREAS, plaintiffs in Strauss v. Crédit Lyonnais, S.A., No. 06-CV-702(CPS) (KAM), and plaintiffs in Weiss v. National Westminster Bank Plc, No. 05-CV-4662 (CPS) (KAM), as well as plaintiffs in Faudem v. Crédit Lyonnais and plaintiffs in Faudem v. National Westminster Bank Plc, No. 07-CV-1775 (CPS) (KAM), have stated their intention to serve Crédit Lyonnais and National Westminster Bank Plc (“NatWest”) respectively with additional document requests and deposition notices that, as to Crédit Lyonnais, will raise issues similar to those raised by the Faudem Protective Order Motion and by the Wolf Protective Order Motion, and accordingly Crédit Lyonnais has informed Strauss plaintiffs’ counsel that it will make a similar protective order motion in Strauss for any discovery requests not addressed in this Court’s decision in Strauss dated May 25, 2007; and

WHEREAS, NatWest has expressed a desire to have deposition discovery in Weiss and Faudem v. NatWest coordinated with deposition discovery in Strauss and Faudem v. Crédit Lyonnais to the greatest possible extent, to minimize expense; and

WHEREAS, counsel for the Weiss and Strauss plaintiffs have noted their intention to file and serve notices of their appearances in the Faudem cases, in which, pursuant to an agreement between them and existing counsel in the Faudem cases, counsel for the Weiss and Strauss plaintiffs will take a lead coordinating role.

NOW, THEREFORE, it is hereby stipulated and agreed by the parties hereto, by their undersigned counsel, as follows:

1. The Weiss, Strauss and Faudem plaintiffs shall serve supplemental document requests and deposition notices no later than November 21, 2007.

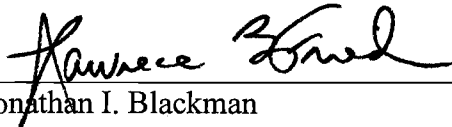
2. In response to the supplemental Strauss and Faudem v. Crédit Lyonnais discovery requests, Crédit Lyonnais will supplement the Faudem Protective Order Motion to address these supplemental requests, and will file a motion similar to the Faudem Protective Order Motion in Strauss, no later than November 29, 2007, and the parties' opposition and reply papers shall be served and filed no later than January 8, 2008 and January 25, 2008, respectively. These motions are without prejudice to any other protective order motions that may be appropriate on any other ground after the parties meet and confer concerning plaintiffs' supplemental discovery requests in Weiss, Strauss, Faudem v. NatWest, and Faudem v. Crédit Lyonnais.

3. Depositions of Crédit Lyonnais that the Strauss and Faudem v. Crédit Lyonnais plaintiffs will notice shall be deferred pending the Court's ruling on Crédit Lyonnais' motions for protective orders in Strauss and Faudem v. Crédit Lyonnais, and depositions of NatWest that the Weiss and Faudem v. NatWest plaintiffs will notice shall be deferred to mutually acceptable dates no sooner than 45 days after the completion of briefing of Crédit Lyonnais' protective order motions in Faudem and Strauss. This deferral is without prejudice to either party's right to bring a motion at any time seeking modification to the schedule for discovery in any matter and in any other respect.

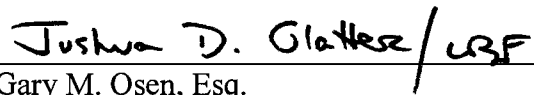
4. The depositions of any NatWest witness that the Weiss and Faudem v. NatWest plaintiffs may take before the Court rules on Crédit Lyonnais' protective order motions in Strauss, Wolf, and Faudem v. Crédit Lyonnais will be conducted in London, except for any witness whom NatWest elects to make available in New York, in which event the reasonable travel and accommodation expenses of that witness will be borne by the deposing plaintiffs.

5. The Weiss and Strauss plaintiffs will respond to the letter from Lawrence B. Friedman, counsel for NatWest and Crédit Lyonnais, to Gary Osen, counsel for the Weiss and Strauss plaintiffs, dated October 18, 2007, addressing these plaintiffs' second supplemental interrogatory responses, no later than December 7, 2007.

Dated: New York, New York  
November 20, 2007

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Counsel for Plaintiffs

SO ORDERED:

Dated: \_\_\_\_\_

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Kiyo A. Matsumoto, U.S.M.J.